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Attorney for Defendants

COUNTY OF SISKIYOU and ANDREA FOX

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

PHILLIP HOFF,

Plaintiff,

v.

COUNTY OF SISKIYOU, an administrative
body; ANDREA FOX, ex-HOA manager; and
DOES 1-5, INCLUSIVE,

Defendants.

) CASE NO.: 2:23-cv-00535-WBS-JDP

)

) **STIPULATION FOR AN EXTENSION**
) **OF TIME TO FILE A RESPONSIVE**
) **PLEADING TO FOURTH AMENDED**
) **COMPLAINT; ORDER**

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) **[E.D. Cal. L.R. 144(a)]**

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Plaintiff PHILLIP HOFF (hereinafter, "Plaintiff"), by and through his counsel, Reshma Kamath, Esq. of the Law Office of Reshma Kamath and Defendants COUNTY OF SISKIYOU ("County") and ANDREA FOX, by and through counsel, Shanan L. Hewitt, Esq. of the Law Offices of Rivera Hewitt Paul LLP, hereby stipulate pursuant to Local Rule 144(a) to an extension of time for defendants to file a responsive pleading to Plaintiff's Fourth Amended Complaint for Damages (Doc. 36) filed on January 24, 2024, in accordance with the Federal Rules of Civil Procedure and the Eastern District Local Rules. The parties stipulate and have agreed to extend the responsive pleading deadline as follows:

- (1) Plaintiff Phillip Hoff's Fourth Amended Complaint was filed on January 24, 2024, six days ahead of the court-ordered deadline, which fell on January 30, after the Court's order on defendants' motion to dismiss and motion to strike the Third Amended Complaint (Doc. 35). Under FRCP 15, defendants' responsive pleading is therefore due by February 7, 2024;
- (2) At this time, defense counsel is currently working on motions in several other cases that must be completed in that time frame including: preparing for opposition to a *Pitchess* motion in *Bacoch v. Sacramento County Sheriff's Department*, Sacramento County Superior Court, Case No. 34-2020-00277824; preparing motion challenging an amended complaint in *Bolbolan v. City of Burlingam*, San Mateo County Superior Court, Case No. 22CIV00514; and preparing an FRCP 11 motion in *Reimann v. Town of Los Gatos*, *Reimann v. Town of Los Gatos, et al.*, Northern District Case No. 5:23-cv-04134-NC.
- (3) Further, defense counsel and defendants need more time to research the new allegations set forth in Mr. Hoff's verified Fourth Amended Complaint in order to determine and prepare the proper responsive pleading;
- (4) Defense counsel also has a pre-planned, pre-paid vacation set for February 7 through 10, 2024;
- (5) This is the first extension of time requested by defendants to file a responsive pleading to the Fourth Amended Complaint. The parties previously stipulated to plaintiff filing a second amended complaint and an extension of time for defendants to file a responsive pleading thereto (Doc.11) which was granted by the Court on May 9, 2023 (Doc. 12). Defendants previously filed an ex parte request for a one (1) week extension of time to file a responsive pleading to plaintiff's Third Amended Complaint on October 12, 2023 (Doc. 23) which was granted on October 13, 2023 (Doc. 25);
- (6) Under these circumstances, the parties have agreed and hereby stipulate to extend the time for defendants to respond to the Fourth Amended Complaint (Doc. 36) from the original responsive pleading due date of February 7, 2024 up to and including February

1 15, 2024.

2 IT IS SO STIPULATED.

3 Dated: January 28, 2024

LAW OFFICE OF RESHMA KAMATH

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5 /s/ Reshma Kamath

6 RESHMA KAMATH

Attorney for Plaintiff

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9 Dated: January 28, 2024

RIVERA HEWITT PAUL LLP

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11 /s/ Shanan L. Hewitt

12 SHANAN L. HEWITT

Attorneys for Defendants


13 COUNTY OF SISKIYOU AND ANDREA FOX
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ORDER

Having considered the Parties' stipulation and good cause appearing, the Court hereby grants the Parties' request for extension of the time for defendants to respond to the Fourth Amended Complaint (Doc. 36). Defendants have up to and including February 15, 2024. to file a responsive pleading.

IT IS SO ORDERED.

Dated: January 29, 2024


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE